

HOVELL et al  
Appl. No. 10/069,359  
July 10, 2006

**AMENDMENTS TO THE DRAWINGS**

An annotated marked-up sheet is attached correcting a typographical error in an earlier supplied replacement sheet. A substitute replacement sheet is also attached incorporating this correction.

Attachment: Replacement Sheet(s)  
Annotated Sheet Showing Changes

**REMARKS**

Reconsideration of this application is respectfully requested.

The above amendment is for the purpose of correcting a minor typographical error in claim 1 and entry is believed appropriate under the provisions of 37 C.F.R. § 1.116.

The rejection of claims 1-18 and 21 under 35 U.S.C. § 103 as allegedly being made “obvious” based on Tsuchiya ‘669 in view of Watanuki ‘986 is respectfully traversed.

Numbered paragraphs 2-19 appearing at pages 2-13 appear to correspond to the Examiner’s earlier action at paragraphs 7-25. In response to applicant’s earlier submission rebutting these points, the Examiner states that such submission was “not persuasive” and then provides responsive comments at numbered paragraphs 21 and 22 at pages 14-15. Accordingly, the following remarks reply to the Examiner’s stated response.

As explained in the introductory portion of applicant’s specification, there are many prior art techniques for communicating between hosts in IP version 6 domains separated by an IP version 4 domain. Some of those prior art techniques do involve tunneling and indeed the applicant has already discussed the IETF tunneling techniques at pages 1-2 of the present specification.

The EPO/PCT examiner in fact also identified Tsuchiya as being the closest prior art (albeit he relied on the EP equivalent published application 0,840,482).

However, Tsuchiya provides a translation device that can only deal with one expected arriving format. By contrast, applicants’ invention (e.g. see claim 1) includes an interface controller which examines the destination addresses of messages and deals with them according to their address types. If a message from a first network has the address type of a second network, the message is encapsulated as the payload of the second type message and sent to the

second type address with the interface address for the second network being the source address. Thus messages of one format are first converted to the correct protocol and then encapsulated whereas messages in a different format have their second network addresses extracted and are sent directly to the encapsulating means.

The Examiner alleges that both Tsuchiya and Watanuki do disclose similar universal solutions. In an attempt to support this assertion, the Examiner relies upon Tsuchiya at 8:55-11:3 and at 2:6-21. However, the first 2+ columns of text cited by the Examiner are not seen to anywhere teach an interface controller of the type described in claim 1 and summarized just above. That is, just like the PCT/EPO Examiner earlier found, the Tsuchiya conversion technique can only deal with one expected format. The second passage cited by the Examiner at column 2 actually relates to a different prior art technique proposed by IETF—and which is also discussed as a prior art technique in the applicants' specification. However, as with the Tsuchiya technique described in the text cited by the Examiner at 8:55-11:3, the IETF proposed method of IP tunneling similarly is unable to handle diverse types of formats in the way required by the interface controller recitations of applicants' claim 1, for example.

With respect to the Watanuki reference, the Examiner relies on 14:55-16:22 and 18:20-19:39. However, once again, the undersigned cannot find in either of these cited portions anything indicating that diverse arriving formats could be successfully handled – and certainly not in the manner described by the interface controller recitations of applicants' claim 1.

Turning to applicants' earlier argument that neither of these cited references contained any "suggestion" that might have led one of ordinary skill in the art to pick and choose the selected pieces now chosen by the Examiner and to recombine them in the manner that apparently is suggested by the Examiner, the Examiner relies upon the same passages already

discussed above—both of which are deficient even if “combined” in some manner unspecified by the Examiner.

In summary, the problem of getting messages properly communicated between IP version 6 domains separated by an IP version 4 domain is one that has been addressed by many people in the prior art. The two cited references are among those that have attempted various solutions in the past. However, as with the other approaches already discussed in applicants’ specification, each of these cited references provide a narrow specific solution that does not have universal applicability—and which does not, for example, practice the specifically recited steps (a), (b) and (c) in applicants’ independent claim 1. They are each self-contained systems which may operate successfully within their own specific context. However, there is no suggestion in either that any portion (let alone some specific portion) of the system associated with one of these approaches should be or even could be selectively removed and transplanted into the other entirely differently message conversion context. Nor has the Examiner explained with any specificity as to how one of ordinary skill in the art might even attempt such a process.

The Examiner alleges that in this case the motivation to combine these two specific references is:

“to provide the solution and create the combination of transmission between domain types by considering the destination address to determine its format and handling the message either by use of the protocol converter or by encapsulation of the message with a derived second type address”.

Of course, the Examiner has merely paraphrased the applicants’ claim language rather than any teaching or suggestion actually found in the cited prior art references. With ample use of hindsight, one can always find a way to argue that an invention should have been “obvious” to others in the past. However, such use of hindsight is improper under U.S. law. Furthermore, the

Examiner has not explained with any specificity how any particular method, step or apparatus from one reference is to be grafted on to the other apparatus/method to allegedly achieve applicants' claimed invention. Indeed, the Examiner has not explained with any specificity how either of these references or any possible combination thereof would achieve the specific operations of applicants' interface controller as recited in steps (a), (b) and (c) in claim 1.

Similar comments apply to independent method claims 9-10 and apparatus claim 21 -- let alone the additional recitations added by numerous dependent claims.

Accordingly, this entire application is now believed to be in allowable condition and a formal notice to that effect is respectfully solicited.

Respectfully submitted,

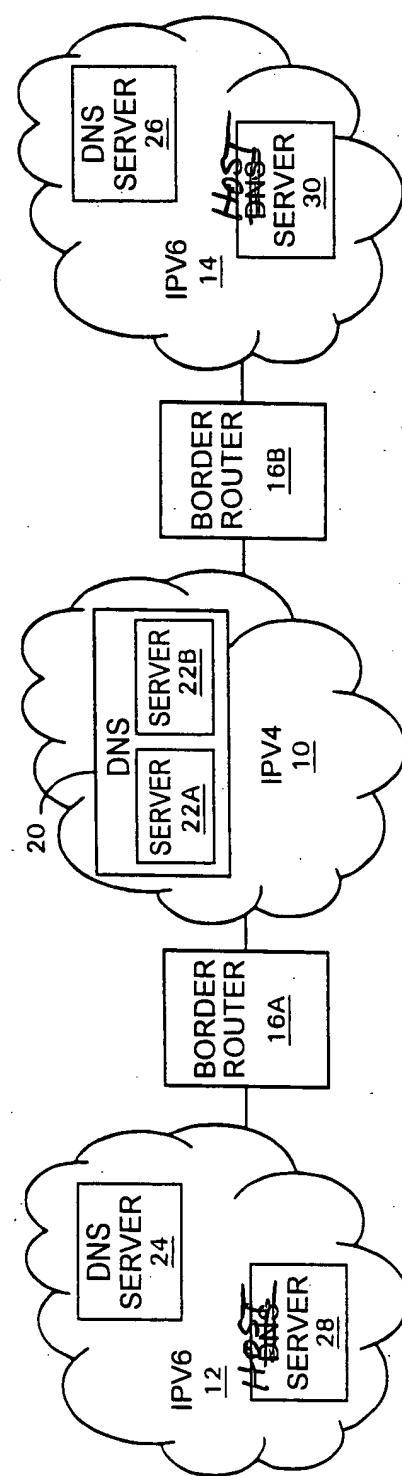
**NIXON & VANDERHYE P.C.**

By: Larry S. Nixon

Larry S. Nixon  
Reg. No. 25,640

LSN:dm  
901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

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ANNOTATED MARKED UP DRAWINGS  
FOR SN 10/069,359

Fig. 1